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STATE DOCUMENTS

Department of Health and Environmental Sciences

STATE OF MONTANA HELENA, MONTANA 59601

KALISPELL REGIONAL OFFICE-Box 1031-Kalispell, MT 59901

John S. Anderson M.D.
DIRECTOR

September 16, 1974

COPIES TO:

SEP 24 1974

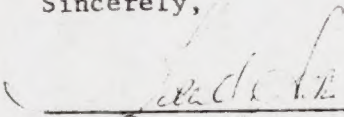
Mr. Sterling Hardy, Lake Hills Addition, Bigfork
Mr. Jack Bostedt, % Postoffice, Bigfork
Doyle and Associates, Glacier Bldg. Kalispell
Environmental Quality Council, Helena
Montana Fish & Game Dept, Helena, Attn: Mr. Jim Posewitz
Montana State Highway Dept. Kalispell Div. Kalispell
Montana State Dept. of Health & Env. Sciences, Attn: Mr. Art Clarkson, Helena
Montana State Dept. Intergovernmental Relations, Div. of Planning & Economic
Development, Capitol Station, Helena
Montana State Library, 930 E. Lyndale, Helena
Mr. Ben Wake, Administrator, Environmental Sciences Div. Helena
USDA Forest Service, Swan Lake Ranger District, Bigfork
Board of County Commissioners, Lake County Courthouse, Polson
Lake County Sanitarian, Mr. Al Hawkaluk, R.S. Box 1210, Polson
R. K. Campbell, M.D. Lake County Health Officer, Finley Point, Polson
Mr. Wayne Herman, President Flathead Wildlife, Inc. Box 4 Kalispell
Mr. John Cochrane, Flathead Lakers, Inc. Box 447 Big Arm
Dr. Lawrence Sonstelie, % FVCC, Kalispell
Polson Outdoors, Inc. Box 1432 Polson
Student Environmental Research Center, Room 212 Venture Center, Missoula
Mr. Don Olsson, Chairman, City-County Planning Board, Ronan State Bank, Ronan
Regional Planning Assoc. of Western Montana, 133 W. Main Missoula
Flathead Tomorrow, Box 173 Bigfork
Bigfork School District, Bigfork
Dave Erickson, Lake County Planning Director, Box 766 Ronan

Gentlemen:

The enclosed Final Environmental Impact Statement represents the decision of this Department concerning the proposed Sterling Estates Subdivision in Lake County, Montana.

You have previously received a copy of a Draft Environmental Impact Statement which was written April 28, 1974. A small portion of this tract was also described in a Draft Environmental Impact Statement of June 26, 1973 when ten acres was proposed for subdivision under the name of the Gal-Moor Subdivision.

Sincerely,



Wilbur O. Aikin, P.E.
Public Health Engineer
Environmental Sciences Division

WOA:jh

MONTANA STATE LIBRARY
930 East Lyndale Avenue
Helena, Montana 59601



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STATE OF MONTANA
DEPARTMENT OF LAND AND MINES
DIVISION OF MINES
HELENA, MONTANA
JANUARY 1, 1914

TO THE HONORABLE
COMMISSIONER OF LAND AND MINES
HELENA, MONTANA

SIR:

I have the honor to acknowledge the receipt of your letter of the 29th inst. in relation to the proposed extension of the Helena and Great Falls Railway, and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

Very respectfully,
J. H. HARRIS,
Director.

Enclosed for the Helena and Great Falls Railway Company are two copies of a report of the Division of Mines, dated January 1, 1914, in relation to the proposed extension of the Helena and Great Falls Railway, and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

Very respectfully,
J. H. HARRIS,
Director.

RECEIVED
JANUARY 1, 1914
DEPARTMENT OF LAND AND MINES
HELENA, MONTANA

FINAL ENVIRONMENTAL IMPACT STATEMENT

FOR

STERLING ESTATES

A Proposed Subdivision-Condominium Complex
in Lake County, Montana

Pursuant to the Montana Environmental Policy Act, Section 69-6504, (b), (3), the act controlling both public and private water supply and sewage disposal for subdivision, Section 69-5001; and the act to control water pollution, Section 69-4801 to 4827; the following Final Environmental Impact Statement is prepared by the State Department of Health and Environmental Sciences, Environmental Sciences Division, concerning the proposed Sterling Estates Subdivision, located east of Bigfork in Flathead County, Montana.

DESCRIPTION OF PROPOSED PROJECT AND PROPOSED ACTION

As previously outlined in the Sterling Estates Draft Environmental Impact Statement of April 22, 1974, the Montana State Department of Health has received a request for approval of a "subdivision" complex to consist of 20 individual single family residential lots and 17 townhouse apartments to be platted into a 92 acre tract three miles south of Bigfork in Lake County, Montana.

Each townhouse is to consist of 6 apartments and each of the townhouses, as now planned, is to be a semi self-sustaining unit with its own community sewage system, parking facilities, and solid waste storage facility. Water will be provided to all townhouses (and lots) by a single community supply system.

The owner-developer is Mr. Sterling Hardy of Bigfork; Doyle and Associates, Registered Land Surveyors of Kalispell are doing the land planning, platting, and field work with D. K. Marquardt Professional Engineer from Kalispell accepting responsibility for design of the water supply system.

An elapsed time to approximately 170 days has been recorded; all comments have been received and the environmental problems under jurisdiction of the Department of Health have been resolved insofar as existing laws and regulations are involved. Copies of all statements relative to this project have been attached to this report for your review.

SUMMARY

In many ways this particular project has been an extremely difficult proposal to review. There appears to be many objections to the Sterling Estates Subdivision, however, most of these adverse comments relate to either administration procedures (the authority of the Planning Board of compliance with S.B. 208) or to the matter of land use and the land use decision. In normal practice the land use and total environmental factors are the very essence of the Impact Statement even though these factors may or may not be under the jurisdiction of the State Department of Health.

At Sterling Estates, however, many of the objections come to this office as mere verbalizations or even rumor. This arrangement is difficult to respond to and it therefore may appear that some of the comments included herein are in response to questions that were never asked or that certain fundamental viewpoints were omitted simply because they were never formalized and defined in a reproducible form.

A petition was also circulated among land owners in this area specifying objections by these landowners to the approval of the project. While part of this petition---those comments on water and sewer problems---is oriented toward water quality considerations, the main thrust is into matters which only the local authorities can respond to. Rather than include the entire 9 pages of petition; including signatures, the petition statement has been reproduced and included as one of the responses to the Draft Statement.

In its entirety the petition statement carried 64 individual signatures. Whether these signatures are valid or not is a question only the Lake County Commissioners can answer.

ADVERSE COMMENTS

1. That the approval and completion of a project of this magnitude will significantly alter the rural life style of the people now occupying the region.
2. That the approval of the project as projected will reduce property value of lands surrounding the area.
3. That valuable "orchard land, farm land, or timber land" will be lost irrevocably.
4. That the impact of this development on schools serving the area would be drastic and that the quality of education for all students will suffer accordingly.
5. That the approval of this project, when viewed in conjunction with other area developments, will represent near catastrophic game range losses for many species of animals and that the use of land in the pothole-lake shoreline area will preempt the use of this water for waterfowl.
6. That the solid waste generated by a development of this size would have an adverse effect on the Woods Bay Sanitary Landfill site thereby reducing the life of the existing facility and forcing a painful and premature relocation.

7. That the use of a lakeside lot on Flathead Lake (not part of the plat) to be given to the Homeowners Association will create human density use problems which are not commensurate with the light use now enjoyed in this area. (Mr. Hardy has modified plans for this ground and is preparing plans more in tune with existing environment).
8. That sewage from a project of this magnitude will contaminate dug wells and springs now being used by families down grade from the project area.
9. That nutrients from the sewage systems will give rise to undesirable algal developments both in the included pot hole lake and along the Flathead Lake shoreline.
10. That the area is in itself a "recharge area" for the groundwater table known to lie well over 100 feet below the present land surface.
11. That the turnoff into the project area for Highway 35 will create a serious traffic hazard because line-of-sight to the south is hampered by a partly screened curve which is a part of Highway 35.
12. That the soils in the area are not suitable for the disposal of large amounts of septic tanks effluent because of their high permeability.
13. That bedrock is too close to the surface in some areas to provide a soil blanket for the disposal of septic tank effluents.

In response to these comments, many will go unanswered simply because no information has been made available to either refute them or substantiate them. With regard to land use factors it must be assumed that the county review authority has either waived requirements, given a variance, or simply dismissed them for lack of credibility. As to the matter of sewage, soils, water supply and solid waste the following observations must be entered.

- (a) Soils-The soils in the area are virtually all silty sandy gravelly loams interbedded, at moderate depth, with horizons of sand and gravel. Cobbles are not uncommon and large glacial erratics have been noted in the area. They are highly permeable, however, they are also far, far above ground water table. Such subsurface conditions are well within the State Department of Health criteria for septic system effluents provided drainfields are not installed along or on the walls of any of the small sink holes occasionally found within the tract. High percolation rates are not, at this time, valid grounds for denying approval; only distance above ground water table or low permeability is.

To preclude any misunderstanding on this matter the proposed drainfields for each of the townhouses has been staked in the field by the surveyor and a plot plan made for each topographically similar townhouse setting.

The sites have been field inspected in the company of the Lake County Sanitarian and concurrence was made on their location in the field setting.

A full inventory and evaluation of soils in the area was made by Mr. Clem Rose, District Conservationist for the S.C.S., Ronan, Montana. This eight page summary is open for inspection in this office at any time.

- (b) Contamination of Adjacent Water Wells-The State Department of Health regulations specifically prohibits location of drainfield closer than 100 feet to a potable water supply point. As near as could be determined in the field the nearest such wells or springs are 5 to 10 times that distance. Properly constructed, there should be absolutely no contamination of these sources by sewage disposal in this subdivision.
- (c) Status as a "Recharge Area"-This is a very difficult point to either verify or deny. However, the Montana Department of Natural Resources and Conservation in concert with the Montana Department of Intergovernmental Relations has completed (in 1973) a study entitled A RESOURCE INVENTORY METHOD FOR LAND USE PLANNING IN MONTANA. This extensively detailed volume used as a demonstration area the 15,000 acre tract of land in the Lower Swan River between the Swan Range and the Flathead River. Sterling Estates Subdivision is barely (several miles) outside the south boundary of this study area. It is close enough however, to interpolate a considerable amount of information for use at the present project. Significant recharge areas were found to be extremely rare and in fact were restricted to a few very large alluvial fans well up onto the foothill ranges. Kame and kettle landforms, such as found at Sterling Estates, were not found to be worthy of being designated as groundwater recharge areas. The possibility that the sewage effluents will be trapped into a recharge system directly into Flathead Lake is very remote.
- (d) Bedrock Obstructions to Drainfield Use

As was stated each townhouse unit now has a predetermined absorption area. One, in which bedrock may have been a problem, is destined to utilize a small pumping station which will remove effluents into an area of known thick soil cover. All others are well outside the possible outcrop areas.
- (e) Nutrient Enrichment in the Pot-hole Lake Area-The mobility of nutrients from septic tank effluents of the subdivision residences adjacent to the pot-hole lake shoreline is an admitted possible problem. Nutrients from the other phases of the project could, in time, also migrate into the water of Flathead Lake. This potential problem cannot be dealt with any further than to make certain that all sewage systems, community or individual, meet Department of Health regulations with regard to structure, proximity, and size. And as present plans now show, these systems do meet existing standards.

WATER SUPPLY SYSTEM

The feasibility of a subsurface water supply source has been successfully demonstrated by a 50 gpm well now in existence at a centrally located site in the subdivision. Based on a drilled well source system, plans have been submitted, reviewed and conditionally approved for a community water supply system. In summary, this system will be developed as follows:

| SUBJECT | PHASE 1 | ULTIMATE |
|--------------------------|----------------------------|-------------------------|
| Scope | 20 Indiv. Lots | 20 Lots + 17 Townhouses |
| Source | 1 Well (50 gpm) | 2 Wells (100 gpm) |
| Static Storage | 10,000 Gallon | 45,000 Gallon |
| Pressure Tankage | 500 Gallon | 2,000 Gallon |
| Distrib. (booster) Pumps | 1 Pump @ 50 gpm | 2 Pumps @ 50 gpm |
| Reliability | Standby Power Generator | |
| Distribution | 4" AC or Cement Throughout | |

SOLID WASTE

All solid waste from the development will, of necessity, go to the Woods Bay Landfill Site. A personal communication from Mr. S. Colbert, owner of the site under contract to Lake County, was received to the effect that the site could easily accomodate this need although it would naturally shorten the life of the landfill.

CONCLUSIONS

Plans and supplemental information relating to sewage disposal and solid waste at the Sterling Estates Subdivision are now in compliance with Section 69-5001 to 69-5005, R.C.M. It is, therefore, the intention of this office to afix a stamped endorsement along with conditions of approval to the final plat to be recorded with the Lake County Clerk and Recorder.

A letter of approval of this action from the Lake County Health Department has been received and filed with this office. As included in all subdivision approvals will be the fact that the individual septic system will require a written permit and field inspection from the County Sanitarian prior to finalization.

This statement was prepared by Wilbur O. Aikin, P.E., a Public Health Engineer in the employ of the Montana State Department of Health and Environmental Sciences Regional Office in Kalispell, Montana.

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ALL EXISTING BUILDINGS ARE TO BE REMOVED.

THE LOT LAY-OUT IS AS SHOWN WITH THE
GENERAL LOCATION OF TOWNHOUSES INDICATED
BY BLACK RECTANGULAR BLOCKS.

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PROPOSED
STERLING ESTATES

Woods Bay



PETITION

We the undersigned oppose approval of the Sterling Hardy plat and development which is located between Highway 35 and Sylvan Drive north of Woods Bay, in Lake County, Montana.

This project will adversely affect future living conditions and drastically reduce property value of the surrounding area. The concept of proposed multiple dwellings is not compatible with the surrounding area composed of rural area type private homes, beaches with land use for orchards and grazing.

Past experience by home owners adjacent to this project indicate severe water and sewage problems. It is further strongly believed that an honest thorough geological study of this land would prove these points beyond any reasonable doubt. Further it is felt that the increased population impact upon our schools would be drastic in view of the fact that we are already bonded to the limit and can only financially support present projected enrollment.

If this project were to be approved as proposed, it will have a profoundly undesirable impact upon the community.

This petition statement included 64 signatures.



STATE OF MONTANA



DEPARTMENT OF

RECEIVED

FISH AND GAME

MAY 24 1974

Helena, Montana 59601

May 23, 1974

MONTANA DEPARTMENT OF HEALTH
AND ENVIRONMENTAL SCIENCES
KALISPELL REGIONAL OFFICE

Mr. Will Aikin
Department of Health and Environmental Sciences
P.O. Box 1031
Kalispell, Montana 59901

Dear Will:

As requested, we have reviewed the Sterling Estates subdivision in Lake County. This review, conducted by our Kalispell regional office, resulted in the attached memo.

You will note that this is a valuable wildlife area and that if this development should go to completion it will further deplete the wildlife resource of this state. There is also reason to exercise extreme caution with proposed sewage disposal facilities because of this development's proximity to Flathead Lake.

We hope this information will be of use.

Sincerely,

A handwritten signature in dark ink, appearing to read "James A. Posewitz".

James A. Posewitz, Administrator
Environment and Information Division

JAP/sd
Enc

cc: Environmental Quality Council
Dan Vichorek
Tom Hay

FLATHEAD WILDLIFE, Inc.

P. O. BOX 4

KALISPELL, MONTANA

May 10, 1974

Mr. Wilbur O. Aikin, P. E.

Public Health Engineer

Environmental Sciences Division

Box 1031, Kalispell, Mt. 59901

Dear Mr. Aikin,

This is to inform you that Flathead Wildlife Inc., at their regular meeting May 8, 1974, at Big Fork Montana, voted unanimously, objecting to type of buildings, water system, Sewage disposal and density of housing along with impact on Big Fork School facilities.

Such a project could not help but cause for itself tremendous water pollution, but overload Big Fork school facilities.

Sincerely,

Flathead Wildlife Inc.

Monty Kennedy
Monty Kennedy, Secty,

RECEIVED

MAY 17 1974

MONTANA DEPARTMENT OF HEALTH
AND ENVIRONMENTAL SCIENCES
KALISPELL REGIONAL OFFICE



NATHAN WILDLIFE, Inc.

W. O. BOX 1

KANSAS, A. O. BOX 1

RECEIVED

MAY 1 1974

U.S. DEPARTMENT OF AGRICULTURE
AND FOREST SERVICE
WASHINGTON, D.C.



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STATE OF MONTANA
DEPARTMENT OF FISH AND GAME
HELENA, MONTANA

RECEIVED
MAY 21 1974
ENVIRON. RESOURCES

Office Memorandum

TO : Wes Woodgerd Attn: Jim Posewitz
FROM : Tom Hay
SUBJECT: Sterling Estates --- Lake County

DATE: May 17, 1974

This office has reviewed the environmental impact statement of Sterling Estates prepared by Wilbur Aikin of the State Department of Health and Environmental Services, Kalispell, Montana. This statement concerns an area previously considered as Gal-Mor subdivision, Lake County.

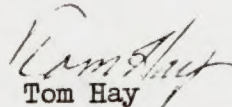
The area has changed ownership and the Sterling Estates now proposed consists of twenty individual single family units and seventeen townhouse unit structures. It is located about three miles south of Big Fork and about one mile north of Woods Bay. Its northeastern boundary touches on Highway 35.

Over the past years white-tailed deer, mountain grouse, waterfowl, and occasionally elk and black bear have used this area in different seasons of the year. At present, the general area is a part of an important winter range for white-tailed deer. It is the year-round home of ruffed grouse. The small pond is a breeding, nesting, loafing and resting area for a number of species of waterfowl.

The small pond on the northern portion of the ninety-two acre development is a self-contained unit without an inlet or outlet. Some years an inflow from spring areas is quite evident. The maximum depth is about six feet and the pond supports a very extensive and concentrated growth of aquatic plants. These conditions preclude sport fishes in the pond. Any contribution of additional nutrients to the already enriched area would only hasten eutrophication.

Since this area is so close to Flathead Lake extreme care should be taken so that nutrients are not permitted to reach ground waters that could end up in Flathead Lake.

This proposed subdivision is located in an area that has seen extensive development of the east lake shore area of Flathead Lake. Although the subdivision by itself does not represent catastrophic losses to white-tailed deer, when combined with other developments they do represent very serious losses to these animals. If the development takes place it is expected that waterfowl use of the pond will be highly restricted.


Tom Hay

TH/ea

